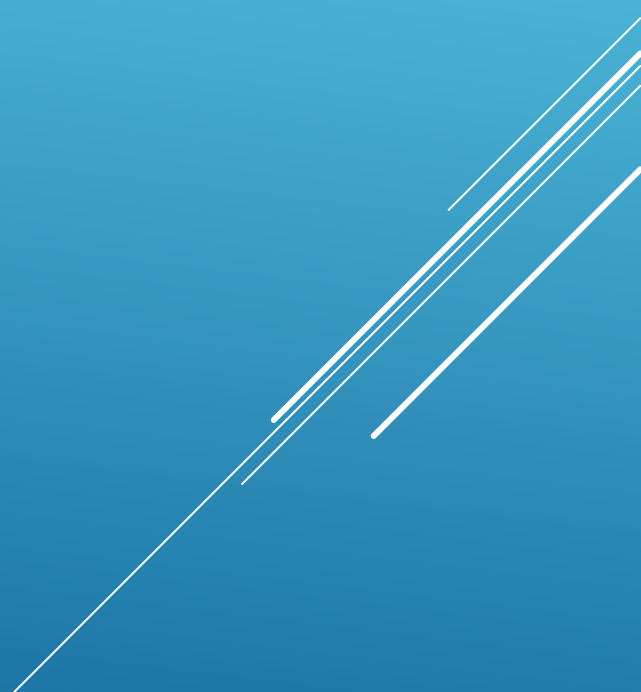


# GenX Public Hearing

Wednesday, August 22, 2017

JOINT LEGISLATIVE ENVIRONMENTAL REVIEW COMMISSION

NEW HANOVER COUNTY GOVERNMENT CENTER



# OVERVIEW

- ▶ GenX, also known as “C3 Dimer Acid,” is a chemical produced at two facilities at the old DuPont Fayetteville Works site, which is located along the Cape Fear River in Cumberland and Bladen counties and is now owned by the company known as Chemours.
- ▶ At the main production facility, GenX is intentionally produced and sold commercially as part of various household products. At that facility, GenX is captured and waste is taken off site for incineration.
- ▶ At a different production area at the same site, GenX is also created as a waste byproduct during the production of polyvinyl ether. Polyvinyl ether has been manufactured at the Fayetteville Works site since 1980.
- ▶ The wastewater from polyvinyl ether manufacturing, which contains GenX, is ultimately discharged into the Cape Fear River through the Chemours discharge point, which is regulated under a permit issued and administered by the N.C. Department of Environmental Quality.


# GenX Timeline



1980

June  
2017

Polyvinyl ether is created at the DuPont site in Fayetteville generating GenX that was discharged into the Cape Fear River



DuPont signed consent order with EPA agreeing to capture 99% of GenX associated with its commercial production. **This order did not cover wastewater containing GenX generated during production of polyvinyl ether since 1980.**

EPA funded study led by Professor Detlef Knappe at CFPWA took 34 to 37 samples of raw intake water from the Cape Fear. Average GenX concentration of 631 ppt was found with some samples as high as 4,500 ppt.

DEQ and DuPont met to discuss an EPA study that identified a new compound in Cape Fear. Notes from the meeting also stated that DuPont is no longer discharging C3 Dimer acid (or GenX) into the river.

2009

August  
2010

June to  
December  
2013

August  
2014

June 2015

DuPont met with NCDEQ to discuss the renewal of their discharge permit set to expire October 2011. A hand written note from this meeting said **“Process GenX wastestream – captured and disposed of off site by incinerator.”**

Samples of raw and drinking water were taken. The samples came back with GenX concentrations at 400 and 500 ppt revealing the plants’ treatment process as ineffective.

Chemours was spun off from DuPont into a separate company.

Jul 1,  
2015

Apr 27,  
2016

DEQ received a renewal application for the Chemours discharge permit. **A renewal has not yet been issued.**

Professor Knappe published a study in an environmental journal.

Nov 10,  
2016

Professor Knappe forwarded a copy of his study to DEQ employees and stated "I think it would be useful to discuss the results."

DEQ met twice with Professor Knappe and the Cape Fear Public Utility Authority regarding potential health effects of GenX.

Nov 23,  
2016

April  
2017

Professor Knappe forwarded an abstract of a Swedish study to Cape Fear Public Utility Authority that **purported that GenX is more toxic than PFOAs, the chemical it replaced.**

Apr 22,  
2017

Article is published in *Wilmington Star-News* revealing GenX in the drinking water from the CFPUA.

Jun 7,  
2017

DHHS released a health risk assessment for GenX that **set the safe level at 70,909 ppt.**

Jun 8,  
2017

A meeting was held between Chemours, DEQ, and possibly Gov. Cooper's office. The meeting notes indicate that Michael Johnson, environmental manager for Chemours, disclosed that **GenX has been discharged from the "Vinyl Ether Process" since 1980.**

Jun 12,  
2017



Chemours met with officials from local and state government. Following this meeting, **Secretary Regan told the Wilmington Star-News, “What we have here is a situation where the company is not breaking the law.”**

DEQ issued a press release stating its inspectors verified that Chemours is containing all wastewater from the relevant area so GenX is no longer being discharged in the Cape Fear River.

DEQ and DHHS issued a press release that published results of DEQ sampling for GenX and **lowered the health risk assessment by more than 500 times to 140 ppt**, based upon continuing analysis of health data and consultation with EPA.

Jun 15,  
2017

Jun 19,  
2017

Jun 27,  
2017

Jun 29,  
2017

Jul 14,  
2017

DEQ began its GenX sampling efforts in Cape Fear River. Final round of sampling revealed GenX concentrations of 68 to 125 ppt in finished water at treatment plants.

**DEQ informed the Wilmington Star-News that GenX was disclosed in the current and all previous permit applications** by DuPont and Chemours as being discharged into the Cape Fear River.

Gov. Cooper claimed that NC needs the EPA to establish a federal standard on GenX before the state can take any action. In reality, **NC already has all the authority it needs to take any regulatory action it wishes regarding GenX.** DEQ routinely regulates many chemicals that do not have a federal standard.

Jul 17,  
2017

CFPUA press release announced a water sample taken the previous week showed that **concentrations of GenX remained above the level recommended by the state.**

Jul 20,  
2017

AG issued an “investigative demand” requiring Chemours to produce documents related to the GenX’s safety.

Jul 21,  
2017

Jul 24,  
2017

Gov. Cooper and Sec. Regan held a press conference in Wilmington to announce:  
DEQ will deny Chemours’ permission to discharge any GenX into the Cape Fear River.  
Gov. Cooper asked SBI to determine if a criminal investigation is warranted.  
Gov. planned to request a special appropriation from the General Assembly when it reconvened in August to allow his administration to hire more staff.

Jul 28,  
2017

DEQ was served with a federal criminal subpoena from the U.S. Attorney’s Office in the Eastern District. The subpoena is for all records and files related to Chemours.



The General Assembly reconvened for a one-day session.

A group of lawmakers sent a letter to Gov. Cooper asking 21 questions to address inconsistencies in administration's handling of GenX crisis and to obtain more information on how the additional appropriation would make a meaningful difference in water quality and public safety in the lower Cape Fear region.

Lawmakers announced a joint legislative oversight committee hearing to investigate the discharge of GenX into the Cape Fear River.

Aug 3,  
2017

Aug 8,  
2017

Aug 9,  
2017

Aug 14,  
2017

Aug 18,  
2017

Two of Gov. Cooper's cabinet secretaries, DEQ Secretary Regan and DHHS Secretary Cohen, wrote to lawmakers requesting a roughly \$2.58 million additional appropriation they said would respond to the presence of GenX in the Cape Fear River.

Secretary Regan and Secretary Cohen responded to lawmakers on Gov. Cooper's behalf but **failed to directly answer the overwhelming majority of questions posed to the administration.**